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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,679	01/20/2004	Henry Wurzburg	5707-06300	5267

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Jeffrey C. Hood
Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767

EXAMINER

LEE, DIANE I

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/762,679

Applicant(s)

WURZBURG, HENRY

Examiner

D. I. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-18 are presented for examination
2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

The Application originally filed without claim 9.

Misnumbered claims 10-28 have been renumbered to claims 9-27, respectively.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 4-11, 15-20, 22, 24-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Swanberg et al. [US 2002/0155893].

Re claims 1-2, 11, 22: Swanberg discloses a system comprising a processor 27, a display 28 coupled to the processor 27, a host controller 32 coupled to the processor 27; a card reader 26 coupled to the host controller 32 (i.e., figure 2 illustrates the card reader 26 is electrically connected to the host controller 32 via processor 27 and a network 30); and wherein an icon is display on the display specific to a type of memory card (the memory card includes executable instructions) inserted into the card reader (see paragraphs 43-47 and 65).

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Re claims 4-5, 15, 24: wherein the card reader reports a device identification specific to the type of the memory card inserted into the reader (see paragraphs 38, 47, 52), wherein the icon provides specific access to the user, which inherently teaches a registry preloaded (e.g., a web site to access for playing the game) with an icon specific to the device identification reported.

Re claims 6-7, 16, and 25: wherein the card reader is operable to report at least two different device identifications (e.g., baseball, basketball, etc.) specific to a plurality of different types of memory card (a trading card for a plurality of users) (see paragraphs 43-65).

Re claims 8 and 17: wherein the memory card (i.e., a smart trading card) is a smart card (see paragraph 32 and figure 1C).

Re claims 9, 19-20, and 26: wherein text indicative of the memory card type is displayed proximate to the icon accessible by the processor (see figure 6 for example).

Re claims 10, 18: wherein the card reader is a single slot card reader (see figure 2 for example).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 12-14, 21, 23, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swanberg in view of Bilich et al. [US 5,877,483-referred as Bilich]. The teachings of Swanberg have been discussed above.

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Re claims 3, 12, and 23: Swanberg does not disclose the card reader is electrically disconnected from the host controller when a memory card is removed from the card reader.

Bilich discloses a system including a processor (CPU 14), a host controller (logic 22) coupled to the processor (CPU 14), a card reader 16 coupled to the host controller 22, wherein the card reader is internal to a computer system (i.e., PC 10) housing the processor (CPU 14, see figure 1). Bilich teaches that upon removal of the card, the user is logged off of the computer and the CPU is powered down (see col. 2, lines 28+).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the power down upon removal of the card is detected, as taught by Bilich, in the system of Swanberg in order to reduce the power consumption when a memory card is removed from the card reader.

Re claims 13-14: Swanberg as modified by Bilich does not disclose the specific steps of displaying an empty card reader icon on the display and removing an icon from the display when the card reader is electrically disconnected.

The fact that Swanberg as modified by Bilich teaches that upon removal of the card, the user is logged off of the computer and the CPU is powered down, which obviously includes the step of removing all the display information from the terminal, including removing an icon from the display when the card reader is electrically disconnected during the power down process. Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to recognize that the aforementioned step would be an obvious system operation step included in the power down operation. With respect to the step of displaying an empty card reader icon on the display, would have been an obvious step to include prior to the logging off and power down operation in order to inform the user that the card has been

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removed from the reader, so that user has an opportunity to login to the terminal by reinserting the card to the reader if he or she wishes prior to actual logging off and power down operation.

Re claims 21 and 27: Although Swanberg as modified by Bilich does not explicitly teach the step of reporting when the memory card is inserted into the reader without having to reconnect the card reader, Bilich teaches the soft power startup of the PC, i.e., in response to the detection of the card being inserted to the reader, the computer is powered on (see figure 2). Accordingly, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to provide a notification to reflect the operator's action of the reinserting the card to the reader prior to the logging off and power down operation (i.e., without the reconnection of the reader to the system).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Nakabayashi [JP 07-334633] and Ohiki [US 6,000,607], Imai [US 6,349,878] discloses a system displaying the icon that identifies the type of the card inserted into the reader.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. I. Lee whose telephone number is (571) 272-2399. The examiner can normally be reached on Monday through Thursday from 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D. I. Lee
Primary Examiner
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